

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

**ANDREW KATRINECZ and  
DAVID BYRD,  
Plaintiffs,**

**v.**

**BEHAVIOR TECH COMPUTER (USA)  
CORP. and BEHAVIOR TECH  
COMPUTER CORP.  
Defendants.**

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**CAUSE NO. 1:11-cv-56**

**JOINT MOTION TO EXTEND DEADLINE TO DESIGNATE POTENTIAL  
WITNESSES, TESTIFYING EXPERTS AND PROPOSED EXHIBITS**

Plaintiffs Andrew Katrinecz and David Byrd, and Defendants Behavior Tech Computer (USA) Corp., and Behavior Tech Computer Corp., request that the Court enter an order extending the deadline for both parties to file their respective designations of potential witnesses, testifying experts and proposed exhibits by 45 days. In support, of this motion, the parties would show the Court as follows:

1. Trial in the above-styled litigation is set to occur in October, 2012.
2. Under paragraph 4 of the Scheduling Order (Dkt. No. 22), the deadline for Plaintiffs to file their designations of potential witnesses, testifying experts and proposed exhibits is October 31, 2011; the deadline for Defendants to file their designations of potential witnesses, testifying experts and proposed exhibits is November 30, 2012.
3. The parties are engaged in settlement discussions and discovery is ongoing.
4. Parties are currently coordinating a date for the deposition of Defendants' corporate representative to confirm and verify matters relevant to the settlement of this case.

WHEREFORE, PREMISES CONSIDERED, Plaintiffs and Defendants request that this Court extend the deadline for each party to file their respective designations of potential witnesses, testifying experts and proposed exhibits by 45 days to December 15, 2011 for Plaintiffs and January 16, 2012 for Defendants.

Respectfully submitted,

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Dated: October 26, 2011

By:



David E. Dunham  
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**COUNSEL FOR BEHAVIOR TECH  
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TECH COMPUTER CORP.**

**CERTIFICATE OF SERVICE**

This is to certify that a copy of the foregoing document was served upon Defendants by delivering a true and correct copy on this the 26<sup>th</sup> day of October, 2011 as follows:

**VIA FACSIMILE and ELECTRONIC MAIL**

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